



February 25, 2005

HOUSE BILL No. 1134

DIGEST OF HB 1134 (Updated February 24, 2005 1:07 pm - DI 113)

Citations Affected: IC 20-10.1.

Synopsis: ISTEP testing. Provides that the ISTEP test must be administered during the spring semester for school years beginning after June 30, 2006. Provides for a pilot test of spring ISTEP testing in May, 2006. Requires the department of education to develop a ten year plan for student diagnostic and summative achievement assessment before August 2, 2005.

Effective: Upon passage; July 1, 2005.

Heim, Messer, Koch, Smith V

January 11, 2005, read first time and referred to Committee on Education.
February 1, 2005, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.
February 24, 2005, amended, reported — Do Pass.

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February 25, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1134

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-10.1-16-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) The board shall:

(1) authorize the development and implementation of the Indiana statewide testing for educational progress program; and

(2) determine the date, **which for school years beginning after June 30, 2006, must be during the spring semester of the school year**, on which the statewide testing is administered in each school corporation.

(b) The state superintendent is responsible for the overall development, implementation, and monitoring of the ISTEP program.

(c) The department shall prepare detailed design specifications for the ISTEP program that must do the following:

(1) Take into account the academic standards.

(2) Include testing of students' higher level cognitive thinking in each subject area tested.

(3) Provide for a pilot test for reliability and validation to be given during the first two (2) weeks that end in May 2006, and

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for the following schedule concerning the administration, scoring, and reporting of results, for school years beginning after June 30, 2006:

(A) Test administration conducted during the first two (2) weeks that end in May.

(B) Test scoring completed before June 16.

(C) Test results reported to teachers and parents before July 1.

(D) Yearly progress reported to parents and the federal government before July 16.

SECTION 2. IC 20-10.1-16-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.1. (a) Before August 2, 2005, the department shall develop a ten (10) year plan for student diagnostic and summative achievement assessment that must include a system that:**

(1) has as its purposes to:

(A) provide teachers with diagnostic assessment tools during the school year to determine whether each student is learning below, at, or above the academic standards for that grade and subject so that the teacher may direct instruction accordingly;

(B) annually assess the progress of each student under the academic standards toward the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and

(C) confirm before graduation that each student has the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning.

(2) uses:

(A) a diagnostic assessment tool for language arts (including English), mathematics, science, and social studies in kindergarten through at least grade 8 to support on-line, intra-year diagnostic assessments of individual or collective students by teachers to assist efforts to accelerate learning by students performing below expectations and support further learning by students performing at or above expectations;

(B) annual on-line end of the school year assessments for grades 3 through 8 that assess whether students are proficient in the subject matter of the grades in language

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arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and grades;

(C) on-line end of course assessments in grades 9 through 12 that assess whether students are proficient in the subject matter of the courses in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and courses;

(D) a new graduate examination, effective at least for the students expected to graduate at the end of the school year beginning July 1, 2010, and ending June 30, 2011, that confirms that the student has demonstrated the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and
(E) a separate written essay examination for each grade that must be reported as a separate part of the assessment results and that must be used independently by teachers and schools to determine whether the student is writing at a level commensurate with the needs and expectations of learning and communicating at that grade level;

(3) uses on-line testing to provide ease of use and timely return of results;

(4) supports an annual cycle of learning, assessment, and feedback that:

(A) provides on-line question banks and means for diagnostic assessments for teachers to use during the school year to assess whether students are performing below, at, or above expectations for each subject and grade;

(B) administers annual student assessments and graduate examinations during the first two (2) weeks that end in May each year;

(C) reports results to teachers, parents, communities, and the federal government before July 16 each year; and

(D) provides for a common method and means by which teachers shall grade the independent written essay.

(b) Before October 1, 2005, the department, the office of management and budget, and the attorney general shall develop specifications and a process for a long term contract with an assessment provider to implement the plan developed under this section. The department shall consult with postsecondary

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1 education and workplace employers in the state to ensure that the
 2 specifications comply with subsection (a)(1)(C). The specifications
 3 must comply with this section. The initial specifications must
 4 provide for pilot assessments to be given in the period beginning
 5 May 1, 2006, and ending May 15, 2006, and annual assessments to
 6 be given in the period beginning May 1, 2007, and ending May 15,
 7 2007. The process must solicit interest from national and
 8 international assessment companies, put out a request for
 9 proposals, and solicit proposals for a plan to transition to the
 10 assessment system provided for in this section and manage the
 11 system, subject to the specifications, until the school year beginning
 12 July 1, 2016, and ending June 30, 2017, notwithstanding any other
 13 law that limits the maximum term of state contracts. Proposals
 14 received shall be reviewed jointly by the department and the office
 15 of management and budget, which shall jointly determine the
 16 successful bidder, subject to the approval of the attorney general
 17 for form and legality of the bid process. The bid process must be
 18 completed before January 1, 2006.

19 (c) If a successful bidder is selected, the pilot test contemplated
 20 by section 4(c)(3) of this chapter for the period beginning May 1,
 21 2006, and ending May 15, 2006, shall be replaced by the pilot test
 22 contemplated by this section.

23 SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE
 24 UPON PASSAGE]: IC 20-10.1-16-9.1; IC 20-10.1-16-10;
 25 IC 20-10.1-16-12.

26 SECTION 4. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1134, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 8, nays 4.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1134, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, after "which" insert **"for school years beginning after June 30, 2006,"**.

Page 1, after line 14, begin a new line block indented and insert:

"(3) Provide for a pilot test for reliability and validation to be given during the first two (2) weeks that end in May 2006, and for the following schedule concerning the administration, scoring, and reporting of results, for school years beginning after June 30, 2006:

(A) Test administration conducted during the first two (2) weeks that end in May.

(B) Test scoring completed before June 16.

(C) Test results reported to teachers and parents before July 1.

(D) Yearly progress reported to parents and the federal government before July 16.

SECTION 2. IC 20-10.1-16-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.1. (a) Before August 2, 2005, the department shall develop a ten (10) year plan for student diagnostic and summative achievement assessment that must include a system that:**

(1) has as its purposes to:

(A) provide teachers with diagnostic assessment tools during the school year to determine whether each student is learning below, at, or above the academic standards for that grade and subject so that the teacher may direct instruction accordingly;

(B) annually assess the progress of each student under the academic standards toward the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and

(C) confirm before graduation that each student has the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning.

(2) uses:

(A) a diagnostic assessment tool for language arts

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(including English), mathematics, science, and social studies in kindergarten through at least grade 8 to support on-line, intra-year diagnostic assessments of individual or collective students by teachers to assist efforts to accelerate learning by students performing below expectations and support further learning by students performing at or above expectations;

(B) annual on-line end of the school year assessments for grades 3 through 8 that assess whether students are proficient in the subject matter of the grades in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and grades;

(C) on-line end of course assessments in grades 9 through 12 that assess whether students are proficient in the subject matter of the courses in language arts (including English), mathematics, science, and social studies, as determined by the academic standards applicable to the subjects and courses;

(D) a new graduate examination, effective at least for the students expected to graduate at the end of the school year beginning July 1, 2010, and ending June 30, 2011, that confirms that the student has demonstrated the knowledge and skills necessary for success in postsecondary education, workplace education, and lifelong learning; and
(E) a separate written essay examination for each grade that must be reported as a separate part of the assessment results and that must be used independently by teachers and schools to determine whether the student is writing at a level commensurate with the needs and expectations of learning and communicating at that grade level;

(3) uses on-line testing to provide ease of use and timely return of results;

(4) supports an annual cycle of learning, assessment, and feedback that:

(A) provides on-line question banks and means for diagnostic assessments for teachers to use during the school year to assess whether students are performing below, at, or above expectations for each subject and grade;

(B) administers annual student assessments and graduate examinations during the first two (2) weeks that end in

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May each year;

(C) reports results to teachers, parents, communities, and the federal government before July 16 each year; and

(D) provides for a common method and means by which teachers shall grade the independent written essay.

(b) Before October 1, 2005, the department, the office of management and budget, and the attorney general shall develop specifications and a process for a long term contract with an assessment provider to implement the plan developed under this section. The department shall consult with postsecondary education and workplace employers in the state to ensure that the specifications comply with subsection (a)(1)(C). The specifications must comply with this section. The initial specifications must provide for pilot assessments to be given in the period beginning May 1, 2006, and ending May 15, 2006, and annual assessments to be given in the period beginning May 1, 2007, and ending May 15, 2007. The process must solicit interest from national and international assessment companies, put out a request for proposals, and solicit proposals for a plan to transition to the assessment system provided for in this section and manage the system, subject to the specifications, until the school year beginning July 1, 2016, and ending June 30, 2017, notwithstanding any other law that limits the maximum term of state contracts. Proposals received shall be reviewed jointly by the department and the office of management and budget, which shall jointly determine the successful bidder, subject to the approval of the attorney general for form and legality of the bid process. The bid process must be completed before January 1, 2006.

(c) If a successful bidder is selected, the pilot test contemplated by section 4(c)(3) of this chapter for the period beginning May 1, 2006, and ending May 15, 2006, shall be replaced by the pilot test contemplated by this section.

SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE UPON PASSAGE]: IC 20-10.1-16-9.1; IC 20-10.1-16-10; IC 20-10.1-16-12.

SECTION 4. An emergency is declared for this act."

and when so amended that said bill do pass.

(Reference is to HB 1134 as printed February 2, 2005.)

ESPICH, Chair

Committee Vote: yeas 19, nays 5.

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